



## STAFF REPORT

DATE: September 21, 2021

**TO:** Honorable Mayor and City Council  
**FROM:** Sam Magureanu, Finance Director  
**AGENDA ITEM:** Certification of Delinquent Accounts Code Ordinance – Storm Water

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### **BACKGROUND**

The City reviewed the code language pertaining to the annual certification of delinquent accounts for the storm water accounts. During that review it was determined that the time line proposed in the current ordinance, to bring the list of storm water delinquent accounts for council review and adoption to be certified to the County auditor on or before October 1<sup>st</sup> of each year, does not allow for efficiency. As a result the City will have to adopt a list for delinquent storm water accounts on or before October 1<sup>st</sup> and also will have to adopt another list for delinquent water and sewer at a later date, to certify to the County by December 28<sup>th</sup>. Water and Sewer are considered delinquent 30 days after the 3<sup>rd</sup> quarter billing is mailed out. The bill is typically mailed first week in October, with a due date around November 15<sup>th</sup>.

In order of all of the delinquent utilities accounts (water, sewer, storm water) to be reviewed and adopted on the same date, city staff recommends that the language relating to the review and adoption date in the ordinance to be amended.

### **REQUEST OF THE CITY COUNCIL**

Would the City Council like to approve suggested code language amendment relating to the Annual Certification of Storm Water Delinquent Accounts?

### **Proposed Change.**

*(Existing Ordinance)*

#### **53.09 ANNUAL CERTIFICATION OF DELINQUENT ACCOUNTS.**

(A) Each year the city staff shall prepare a list of delinquent surface water management service charge accounts, including accrued penalties thereon, in the form of an assessment roll.

(B) On or before October 1 of each year, the City Council shall review the delinquent surface water management service charge assessment roll and adopt an appropriate resolution directing that the assessment roll be certified to the County Auditor as a lien against the premises served and directing that the County Auditor collect the assessment as part of the ensuing year's tax levy.

(Ord. 97-122, passed 7-15-2003; Am. Ord. 08-041, passed 4-5-2011)

*(Proposed Ordinance Change)*

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(B) **On or before December 28** of each year, the City Council shall review the delinquent surface water management service charge assessment roll and adopt an appropriate resolution directing that the assessment roll be certified to the County Auditor as a lien against the premises served and directing that the County Auditor collect the assessment as part of the ensuing year's tax levy.

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**FINANCIAL IMPACT**

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Financial impact is not expected.

**CITY STAFF RECOMMENDATION:**

City Staff recommends approval of the suggested code language amendment.

**ATTACHMENTS:**

1. Ord. 08-251 amending City's Annual Certification of Delinquent Accounts Code
2. Ordinance Amendment

**CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA**

**ORDINANCE NO. 08-251**

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY  
AMENDING SECTION 53.09 ANNUAL CERTIFICATION OF DELINQUENT  
ACCOUNTS**

The City Council of the City of Lake Elmo ordains that Lake Elmo City Code, SECTION 53.09, shall be amended by adding Ordinance No. 08-251, as follows:

**SECTION 1.** Section 53.09 shall be amended as reflected on the attached redlined document.

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 3. Adoption Date.** This Ordinance 08-251 was adopted on this 21st day of September 2021, by a vote of ----- Ayes and ---- Nays.

**LAKE ELMO CITY COUNCIL**

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Charles Cadenhead, Mayor

ATTEST:

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Julie Johnson, City Clerk

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